

Engrossed and Enrolled Bills: Correctly engrossed—HB 32, HB 384, HCR 70, HCR 97. Correctly enrolled—HB 76, HB 347, HB 348, HB 386, HB 493, HB 600, HCR 28, HCR 77, HCR 97.

Higher Education: HB 484, HB 487, HB 672, HB 896, SB 128, SB 278, SB 318.

Judiciary: HB 764, HB 926.

Mental Health and Mental Retardation: HB 517, HB 652, HB 674, HB 1041.

Revenue and Taxation: HB 272.

Rules: HSR 266.

SENT TO THE GOVERNOR  
March 24, 1971

HCR 92

HCR 95

March 25, 1971

HB 76

HB 347

HB 348

HB 386

HB 493

HB 600

HCR 28

HCR 77

HCR 97

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FORTY-FIFTH DAY—MONDAY, MARCH 29, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Atwell	Blanton	Bynum
Adams	Atwood	Blythe	Caldwell
Agnich	Baker	Bowers	Calhoun
Allen, Joe	Bass, B.	Boyle	Cates
Allen, John	Bass, T.	Braecklein	Cavness
Allred	Beckham	Braun	Christian
Angly	Bigham	Burgess	Clark

Clayton	Hawkins	McKissack	Schulle
Coats	Hawn	Moncrief	Semos
Cobb	Haynes	Moore, A.	Shannon
Cole	Head	Moore, G.	Sherman
Craddick	Heatly	Moore, T.	Short
Cruz	Hendricks	Moreno	Silber
Daniel	Hilliard	Murray	Slack
Davis, D.	Holmes, T.	Nabers	Slider
Davis, H.	Holmes, Z.	Neugent, D.	Smith
Denton	Howard	Newton	Spurlock
Doran	Hubenak	Nichols	Stewart
Doyle	Hull	Niland	Stroud
Dramberger	Ingram	Nugent, J.	Swanson
Farenthold	Johnson	Ogg	Tarbox
Finck	Jones, D.	Parker, C.	Traeger
Finnell	Jones, E.	Parker, W.	Truan
Finney	Jones, G.	Pickens	Tupper
Floyd	Jungmichel	Poerner	Uher
Foreman	Kaster	Poff	Vale
Gammage	Kost	Presnal	Von Dohlen
Garcia	Kubiak	Price	Ward
Golman	Lee	Reed	Wieting
Grant	Lemmon	Rodriguez	Williams
Hale	Lewis	Rosson	Williamson
Hanna, Joe	Lombardino	Salem	Wolff
Hannah, John	Longoria	Salter	Wyatt
Harding	Lovell	Sanchez	
Harris	McAlister	Santiesteban	

## Absent

Earthman	Mengden	Orr	Simmons
Kilpatrick	Nelms	Patterson	Wayne
Ligarde			

## Absent-Excused

Carrillo	Graves	Solomon
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A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

## LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence for today on account of important business:

Mr. Graves on motion of Mr. Nichols.

The following Members were granted leaves of absence for today on account of illness:

Mr. Solomon, for today and tomorrow, on motion of Mr. Slider.

Mr. Carrillo on motion of Mr. Sanchez.

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Representatives Simmons, Nelms, Orr, Kilpatrick, and Zan Holmes entered the House and were announced present.

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MESSAGE FROM THE SENATE

Austin, Texas, March 29, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 527, By Brooks: An Act relating to the student loan program; providing for the extension of the repayment period on student loans and the promulgation of rules and regulations necessary for participation in federal student loan programs; and declaring an emergency.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

RELATIVE TO BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent the reading of bills and resolutions on first reading and referral to Committees was delayed until the business on the Calendar was considered.

INTRODUCTION OF HB 1631

Mr. Floyd asked unanimous consent to introduce and have placed on first reading HB 1631.

There was no objection offered.

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Representative Patterson entered the House and was announced present.

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BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills:

HB 235, Establishing duties of public school principals.

HB 453, Relating to safety of persons engaged in activities in the proximity of high voltage electric lines.

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Representative Ligarde entered the House and was announced present.

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## HB 3 WITH SENATE AMENDMENTS

Mr. McAlister called up with Senate Amendments for consideration at this time,

HB 3, Concerning workmen's compensation awards and expenses at institutions under the direction of Texas Tech University.

On motion of Mr. McAlister the House concurred in the Senate Amendments to HB 3.

Mr. McAlister moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 3 and to table the motion to reconsider.

The motion to table prevailed.

## HB 3—TEXT OF SENATE AMENDMENTS

Amend HB 3 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Paragraph 1, Section 2, Chapter 252, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 8309f, Vernon's Texas Civil Statutes), is amended to read as follows:

"1. "Institution" whenever used in this Act shall be held to mean the institution and agency under the direction or government of the Board of Regents of Texas Tech University including the following:

"Texas Tech University, Lubbock;

"Pan Tech Farm, Carson County, Texas;

"Texas Tech University School of Medicine at Lubbock;

"Any other agencies now or hereafter under the direction and control of said Board of Regents."

"Sec. 2. Section 19, Chapter 252, Acts of the 55th Legislature, Regular Session, 1957 (Article 8309f, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 19. The institution covered by this Act is hereby authorized to set aside from available appropriations other than itemized salary appropriations an amount not to exceed three and one-half percent (3½%) of the annual workman payroll of the institution for the payment of all costs, administrative expense, charges, benefits, insurance, and awards authorized by this Act.

"The amounts so set aside shall be set up in a separate account in the records of the institution, which account shall show the disbursements authorized by this Act; provided the amounts so set aside in this account shall not exceed three and one-half percent (3½%) of the annual workman pay roll at any one time. A statement of the amounts set aside for and disbursements from said account shall be included in reports made to the Governor and the Legislature and required by the statutes."

"Sec. 3. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

Amend HB 3 by striking all above the enacting clause and substituting in lieu thereof the following:

A bill to be entitled An Act relating to the amount available for workmen's compensation awards and expenses at institutions under the direction of the Board of Regents of Texas Tech University; relating to the definition of institution; amending Paragraph 1, Section 2, and Section 19, Chapter 252, Acts of the 55th Legislature, Regular Session, 1957 (Article 8309f, Vernons' Texas Civil Statutes); and declaring an emergency.

Representatives Earthman and Mengden entered the House and were announced present.

#### LEAVE OF ABSENCE GRANTED

On motion of Mr. Uher, Mr. Wayne was granted leave of absence for today on account of important business.

#### ADDRESS BY SPEAKER G. F. (GUS) MUTSCHER

On motion of Mrs. Farenthold, the following remarks made by Speaker Mutscher in addressing the House on today were ordered printed in the Journal:

Members, I have some thoughts I would like to express concerning several resolutions before you today.

These resolutions have been submitted and reported from the Rules Committee after full hearings. I wholeheartedly join all the Members in the spirit of these resolutions.

The air must be cleared once and for all. The publicity surrounding the current S.E.C. activities must be fully explored. I want the Members of this House and the people of this state to know the facts. Facts—not rumors, not innuendos, not distortions. I want to emphasize that I do not want the results of these resolutions you pass to be a whitewash nor a witch-hunt. The facts must be laid before the public.

#### HSR 89—ADOPTED

The Speaker laid before the House the following resolution on committee report:

HSR 89, Creating the House General Investigating Committee.

Mr. Hale offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend HSR 89 by striking all below the resolving clause and substituting in lieu thereof the following:

Section 1. The General Investigating Committee of the House of Representatives is hereby created and authorized, to consist of five (5) Members to be appointed by the Speaker of the House of Representatives. The Speaker shall name the Chairman of said committee; and the Committee shall elect a Vice-Chairman and a secretary from its members. Immediately upon its appointment, said Committee shall meet, organize and promulgate the rules and procedures by which it shall function. It shall have full freedom to determine the times and places it shall meet, both during the Regular Session and all Called Sessions, and during all interim periods between the adjournment of the Regular Session of the Sixty-second Legislature and the convening of the Sixty-third Legislature.

Section 2. The Committee shall have full authority to initiate and continue inquiries and hearings into any and all matters pertaining to State Government, including the various departments, agencies and units thereof, and any and all political subdivisions of government within the State of Texas. It shall have power to examine into the expenditure of public funds at any and all levels of government within the state, and all other matters and things considered by said committee to be needed for the information of the Legislature and for the welfare and protection of the citizens of this state.

Section 3. Any vacancy on said Committee shall be filled by appointment by the Speaker of the House of Representatives.

Section 4. The Rules of Procedure of the House of Representatives, the rules of evidence and procedure in civil and criminal cases, so far as considered applicable, and such other rules and regulations as may be adopted by the Committee, shall govern the hearings and affairs of the Committee.

Section 5. The Committee shall keep a record of its proceedings, shall have the power to hold such meetings as it may deem necessary, open or executive, at any place in the state.

Section 6. The Committee shall also have power to issue process to witnesses, at any place in this state, to compel their attendance, and the production of all books, records, and instruments, to issue attachments where necessary to obtain compliance with subpoenas or other process, which may be addressed to and served by either the sergeant at arms appointed by the said Committee or by any peace officer of this state; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoenas or other process lawfully issued by it in the manner provided by General Law. The Chairman of the Committee shall issue, in the name of the Committee, such subpoenas as a majority of the Committee may direct. In the event the Chairman is absent, the Vice-Chairman or any designee of the Chairman is authorized to issue subpoenas or any other process in the same manner as the Chairman.

Section 7. The Committee is authorized to request the assistance of the State Auditor's Department, the Texas Legislative Council, the Depart-

ment of Public Safety, the Attorney General's Department and all other state agencies and officers, and it shall be the duty of said departments, agencies, and officers to assist the Committee when requested to do so.

Section 8. The Committee shall have the power to inspect the records, documents, and files of every state department, agency, and officer, and of all municipal, county, or other political subdivisions of the state, and to examine into their duties, responsibilities and activities.

Section 9. Witnesses attending proceedings of said Committee under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this state, to be paid out of any appropriation for expenses of the Legislature. Their testimony shall be under oath and subject to the privileges of Article 1289, Vernon's Penal Code of the State of Texas.

Section 10. Three (3) or more members of the Committee shall constitute a quorum for the transaction of business and the Chairman or other presiding officer for the Committee shall have power to administer oaths and affirmations.

Section 11. The Committee shall have authority to employ and fix the compensation of persons to assist in any investigation, to assist in any audits, and to assist in any legal matters, when for any reason it is necessary to obtain such services in addition to those services furnished by the State Auditor, the Texas Legislative Council, and the Attorney General's Department; and it may employ and compensate clerks, stenographers, and other employees to aid in the conduct of its investigations and hearings and to make proper records thereof.

Section 12. The Committee shall make such reports to the Members of the Sixty-second Legislature and to the Sixty-third Legislature as it may deem necessary and appropriate.

Section 13. The Committee shall have and exercise all power and authority authorized to General Investigating Committees by Acts 1961, 57th Legislature, Regular Session, page 654, Chapter 303, known and cited as the Legislative Reorganization Act of 1961.

Section 14. Members of the Committee shall be reimbursed for their actual and necessary expenses incurred while engaged in the work of the Committee and while traveling between their places of residence and the places where meetings of the Committee are held. Compensation of the Committee's employees, expenses incurred by the Members of the Committee, and all other expenses of the Committee, shall be paid out of the appropriation for expenses of the Sixty-second Legislature.

Signed: Hale, Cavness, Doran, and Floyd.

Mr. Tom Bass offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 89 by inserting a sentence between the first and second sentences of Section 1 to read as follows: "The Speaker shall make the appointments within 10 days after the adoption of this resolution."

Mr. Hale moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

**Yeas—110**

Adams	Foreman	Longoria	Santiesteban
Allen, John	Gammage	Lovell	Schulle
Atwell	Garcia	McAlister	Semos
Atwood	Golman	McKissack	Shannon
Baker	Hale	Moncrief	Sherman
Beckham	Hanna, Joe	Moore, A.	Short
Blanton	Harding	Moore, G.	Silber
Boyle	Hawn	Murray	Simmons
Braecklein	Haynes	Nabers	Slack
Burgess	Heatly	Nelms	Slider
Bynum	Hendricks	Neugent, D.	Smith
Calhoun	Hilliard	Newton	Spurlock
Cates	Holmes, T.	Niland	Stewart
Cavness	Hubenak	Nugent, J.	Stroud
Clark	Hull	Ogg	Swanson
Clayton	Ingram	Orr	Tarbox
Coats	Johnson	Parker, C.	Traeger
Cobb	Jones, D.	Parker, W.	Tupper
Cole	Jones, G.	Patterson	Uher
Cruz	Jungmichel	Pickens	Von Dohlen
Davis, D.	Kaster	Poerner	Ward
Davis, H.	Kilpatrick	Poff	Wieting
Doran	Kost	Presnal	Williams
Doyle	Kubiak	Price	Williamson
Dramberger	Lemmon	Rosson	Wolff
Finnell	Lewis	Salem	Wyatt
Finney	Ligarde	Salter	
Floyd	Lombardino	Sanchez	

**Nays—35**

Agnich	Braun	Grant	Mengden
Allen, Joe	Caldwell	Hannah, John	Moore, T.
Allred	Christian	Harris	Moreno
Angly	Craddick	Hawkins	Nichols
Bass, B.	Daniel	Head	Reed
Bass, T.	Denton	Holmes, Z.	Rodriguez
Bigham	Earthman	Howard	Truan
Blythe	Farenthold	Jones, E.	Vale
Bowers	Finck	Lee	

**Absent-Excused**

Carrillo	Graves	Solomon	Wayne
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Mr. Tom Bass offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 89 by adding a sentence at



the end of Section 2 to read as follows: "The Committee is specifically instructed to investigate the proposal, drafting, introduction, referral, passage, amending, enactment, and subsequent vetoing of HB 72 and HB 73, Second Called Session, 61st Legislature."

Mr. Carl Parker moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—108

Adams	Finney	Lewis	Salem
Allen, John	Floyd	Ligarde	Salter
Atwell	Foreman	Lombardino	Sanchez
Atwood	Gammage	Longoria	Santiesteban
Baker	Garcia	Lovell	Schulle
Beckham	Golman	McAlister	Semos
Blanton	Grant	McKissack	Sherman
Boyle	Hale	Moncrief	Short
Braecklein	Hanna, Joe	Moore, A.	Silber
Burgess	Harding	Moore, G.	Simmons
Bynum	Hawn	Murray	Slack
Calhoun	Haynes	Nabers	Slider
Cates	Heatly	Nelms	Smith
Cavness	Hendricks	Neugent, D.	Spurlock
Christian	Hilliard	Newton	Stewart
Clark	Holmes, T.	Niland	Swanson
Clayton	Hubenak	Nugent, J.	Tarbox
Coats	Hull	Ogg	Traeger
Cobb	Johnson	Orr	Tupper
Cole	Jones, D.	Parker, C.	Uher
Cruz	Jones, G.	Parker, W.	Von Dohlen
Davis, D.	Jungmichel	Pickens	Ward
Davis, H.	Kaster	Poerner	Wieting
Doran	Kilpatrick	Poff	Williams
Doyle	Kost	Presnal	Williamson
Dramberger	Kubiak	Price	Wolff
Finnell	Lemmon	Rosson	Wyatt

Nays—35

Agnich	Braun	Harris	Moreno
Allen, Joe	Caldwell	Hawkins	Nichols
Allred	Craddick	Head	Patterson
Angly	Daniel	Holmes, Z.	Reed
Bass, B.	Denton	Howard	Rodriguez
Bass, T.	Earthman	Jones, E.	Stroud
Bigham	Farenthold	Lee	Truan
Blythe	Finck	Mengden	Vale
Bowers	Hannah, John	Moore, T.	

Present—Not Voting

Shannon

Absent

Ingram

Absent-Excused

Carrillo

Graves

Solomon

Wayne

Mr. Tom Moore offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 89 by adding a sentence at the end of Section 2 to read as follows: "The Committee is specifically instructed to investigate to determine whether or not violations of Article XVI, Section 41, or Article III, Section 22 of the Texas Constitution occurred in the proposal, drafting, introduction, referral, passage, amending, enactment, or vetoing of HB 72 and HB 73, Second Called Session, 61st Legislature."

Mr. Cavness moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—105

Adams	Floyd	Lombardino	Santiesteban
Allen, John	Foreman	Longoria	Schulle
Atwell	Garcia	Lovell	Semos
Atwood	Golman	McAlister	Sherman
Baker	Hale	McKissack	Short
Blanton	Hanna, Joe	Moncrief	Silber
Boyle	Harding	Moore, A.	Simmons
Braecklein	Hawn	Moore, G.	Slack
Burgess	Haynes	Murray	Slider
Bynum	Heatly	Nabers	Smith
Calhoun	Hendricks	Nelms	Spurlock
Cates	Hilliard	Neugent, D.	Stroud
Cavness	Holmes, T.	Newton	Swanson
Clark	Hubenak	Niland	Tarbox
Clayton	Hull	Nugent, J.	Traeger
Coats	Ingram	Ogg	Tupper
Cobb	Johnson	Parker, C.	Uher
Cole	Jones, D.	Parker, W.	Von Dohlen
Cruz	Jones, G.	Pickens	Ward
Davis, D.	Jungmichel	Poerner	Wieting
Davis, H.	Kaster	Poff	Williams
Doran	Kilpatrick	Presnal	Williamson
Doyle	Kost	Price	Wolff
Dramberger	Kubiak	Rosson	Wyatt
Finck	Lemmon	Salem	
Finnell	Lewis	Salter	
Finney	Ligarde	Sanchez	

## Nays—38

Agnich	Braun	Hannah, John	Moreno
Allen, Joe	Caldwell	Harris	Nichols
Allred	Christian	Hawkins	Patterson
Angly	Craddick	Head	Reed
Bass, B.	Daniel	Holmes, Z.	Rodriguez
Bass, T.	Denton	Howard	Stewart
Beckham	Earthman	Jones, E.	Truan
Bigham	Farenthold	Lee	Vale
Blythe	Gammage	Mengden	
Bowers	Grant	Moore, T.	

## Present—Not Voting

Shannon

Absent

Orr

Absent-Excused

Carrillo	Graves	Solomon	Wayne
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## MESSAGE FROM THE SENATE

Austin, Texas, March 29, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 98, By H. Davis, et al: Extending an invitation to the Reverend Dr. Billy Graham to hold a crusade in Austin.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

## HSR 89—(Consideration continued)

Mr. Edmund Jones offered the following amendment to Committee Amendment No. 1:

Amend HSR 89 by adding the following to Committee Amendment No. 1:

And be it further resolved that the general investigative committee shall be specifically instructed to investigate the Sharpstown Bank incident and the surrounding circumstances.

Signed: Edmund Jones and Blythe.

Mr. Carl Parker moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

## Yeas—110

Adams	Floyd	Ligarde	Schulle
Allen, Joe	Foreman	Lombardino	Semos
Allen, John	Gammage	Longoria	Shannon
Atwell	Garcia	Lovell	Sherman
Atwood	Golman	McAlister	Short
Baker	Hale	McKissack	Silber
Beckham	Hanna, Joe	Moncrief	Simmons
Blanton	Harding	Moore, A.	Slack
Boyle	Hawn	Moore, G.	Slider
Braecklein	Haynes	Murray	Spurlock
Burgess	Heatly	Nabers	Stewart
Bynum	Hendricks	Nelms	Stroud
Calhoun	Hilliard	Newton	Swanson
Cates	Holmes, T.	Niland	Tarbox
Cavness	Howard	Nugent, J.	Traeger
Clark	Hubenak	Ogg	Truan
Clayton	Hull	Parker, C.	Tupper
Coats	Ingram	Parker, W.	Uher
Cobb	Johnson	Pickens	Vale
Cole	Jones, D.	Poerner	Von Dohlen
Cruz	Jones, G.	Poff	Ward
Davis, D.	Jungmichel	Presnal	Wieting
Davis, H.	Kaster	Price	Williams
Doran	Kilpatrick	Rosson	Williamson
Doyle	Kost	Salem	Wolff
Finck	Kubiak	Salter	Wyatt
Finnell	Lemmon	Sanchez	
Finney	Lewis	Santiesteban	

## Nays—28

Agnich	Bowers	Farenthold	Lee
Allred	Braun	Grant	Mengden
Angly	Caldwell	Harris	Moore, T.
Bass, B.	Craddick	Hawkins	Moreno
Bass, T.	Daniel	Head	Nichols
Bigham	Denton	Holmes, Z.	Reed
Blythe	Earthman	Jones, E.	Rodriguez

## Absent

Christian	Hannah, John	Orr	Smith
Dramberger	Neugent, D.	Patterson	

## Absent-Excused

Carrillo	Graves	Solomon	Wayne
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Mr. Lee offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 89 by adding the following two sentences to section 12:

Any Member or employee of the Texas House of Representatives who purchased National Bankers Life Insurance Stock shall appear before this committee within 30 days from the date of the adoption of this resolution to answer questions concerning the passage of HB 72 and HB 73 of the 2nd Called Session of the 61st Legislature. And the committee shall report its findings and recommendations not later than June 1, 1971.

Mr. Hale moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—111

Adams	Finney	Lemmon	Salter
Allen, Joe	Floyd	Lewis	Sanchez
Allen, John	Foreman	Ligarde	Santiesteban
Atwell	Gammage	Lombardino	Schulle
Atwood	Garcia	Longoria	Semos
Baker	Golman	Lovell	Sherman
Beckham	Hale	McAlister	Short
Blanton	Hanna, Joe	McKissack	Silber
Boyle	Harding	Moncrief	Simmons
Braecklein	Hawkins	Moore, A.	Slack
Burgess	Hawn	Moore, G.	Slider
Bynum	Haynes	Murray	Smith
Calhoun	Heatly	Nabers	Spurlock
Cates	Hendricks	Nelms	Stewart
Cavness	Hilliard	Neugent, D.	Stroud
Clark	Holmes, T.	Newton	Swanson
Clayton	Howard	Niland	Tarbox
Coats	Hubenak	Nugent, J.	Traeger
Cole	Hull	Ogg	Tupper
Craddick	Ingram	Parker, C.	Uher
Cruz	Johnson	Parker, W.	Von Dohlen
Davis, D.	Jones, D.	Pickens	Ward
Davis, H.	Jones, G.	Poerner	Wieting
Doran	Jungmichel	Poff	Williams
Doyle	Kaster	Presnal	Williamson
Dramberger	Kilpatrick	Price	Wolff
Finck	Kost	Rosson	Wyatt
Finnell	Kubiak	Salem	

Nays—30

Agnich	Braun	Harris	Nichols
Allred	Caldwell	Head	Patterson
Angly	Daniel	Holmes, Z.	Reed
Bass, B.	Denton	Jones, E.	Rodriguez
Bass, T.	Earthman	Lee	Truan
Bigham	Farenthold	Mengden	Vale
Blythe	Grant	Moore, T.	
Bowers	Hannah, John	Moreno	

Present—Not Voting

Shannon

## Absent

Christian Cobb Orr

## Absent-Excused

Carrillo Graves Solomon Wayne

## MESSAGE FROM THE SENATE

Austin, Texas, March 29, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 676, by Schwartz: Relating to meeting places of the Good Neighbor Commission.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

## HSR 89—(Consideration continued)

Mr. Mengden offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 89 by adding the following sentence to Section 1:

The General Investigating Committee hereby created shall include one member of the minority party and at least one member who is neither a Chairman nor Vice-Chairman of a Standing House Committee.

Mr. Hale moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

## Yeas—126

Adams	Braun	Cruz	Garcia
Agnich	Burgess	Daniel	Golman
Allen, Joe	Bynum	Davis, D.	Grant
Allen, John	Calhoun	Davis, H.	Hale
Angly	Cates	Doran	Hanna, Joe
Atwell	Cavness	Doyle	Harding
Atwood	Christian	Dramberger	Hawkins
Baker	Clark	Finck	Hawn
Beckham	Clayton	Finnell	Haynes
Bigham	Coats	Finney	Heatly
Blanton	Cobb	Floyd	Hendricks
Boyle	Cole	Foreman	Hilliard
Braecklein	Craddick	Gammage	Holmes, T.

Holmes, Z.	McKissack	Presnal	Spurlock
Howard	Moncrief	Price	Stewart
Hubenak	Moore, A.	Reed	Stroud
Hull	Moore, G.	Rodriguez	Swanson
Ingram	Moore, T.	Rosson	Tarbox
Johnson	Murray	Salem	Traeger
Jones, D.	Nabers	Salter	Truan
Jones, G.	Neims	Sanchez	Tupper
Jungmichel	Newton	Santiesteban	Uher
Kaster	Nichols	Schulle	Vale
Kilpatrick	Niland	Semos	Von Dohlen
Kost	Nugent, J.	Shannon	Ward
Kubiak	Ogg	Sherman	Wieting
Lemmon	Orr	Short	Williams
Lewis	Parker, C.	Silber	Williamson
Lombardino	Parker, W.	Simmons	Wolff
Longoria	Pickens	Slack	Wyatt
Lovell	Poerner	Slider	
McAlister	Poff	Smith	

## Nays—14

Allred	Bowers	Farenthold	Lee
Bass, B.	Caldwell	Harris	Mengden
Bass, T.	Denton	Head	
Blythe	Earthman	Jones, E.	

## Absent

Hannah, John	Moreno	Neugent, D.	Patterson
Ligarde			

## Absent-Excused

Carrillo	Graves	Solomon	Wayne
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## REASON FOR VOTE

The reason for voting against the motion to table the Mengden amendment is to insure that at least two members of the investigating committee will not be obligated to the Speaker who will appoint this committee.

The adoption of this amendment will insure the Speaker's desires that this investigating committee will not be a whitewash committee.

Signed: Mengden

## HSR 89—(Consideration continued)

Committee Amendment No. 1 to HSR 89 was adopted.

## REASON FOR VOTE

Reason for voting Yes on Committee Amendment No. 1 to HSR 89

The principal and paramount problems that this House needs to grapple with, deals with the internal processes of this body as regards the proposal,

drafting, introduction, referral, passage, amending, enactment and subsequent vetoing of HB 72 and HB 73, Second Called Session, 61st Legislature. Because the House, by overwhelmingly voting against amendments to direct the Committee to consider the legislative history of the above bills, this House has delegated the direction of the investigation to a General House Investigating Committee.

However, the General House Investigating Committee does offer a mechanism with which to begin. And, it is for this reason that I voted for its establishment.

Signed: Frances Tarlton Farenthold  
District 45, Place 1

HSR 89—(Consideration continued)

HSR 89, as amended, was adopted by the following vote:

Yeas—143

Adams	Denton	Jones, G.	Price
Agnich	Doran	Jungmichel	Reed
Allen, Joe	Doyle	Kaster	Rodriguez
Allen, John	Dramberger	Kilpatrick	Rosson
Allred	Earthman	Kost	Salem
Angly	Farenthold	Kubiak	Salter
Atwell	Finck	Lee	Sanchez
Atwood	Finnell	Lemmon	Santiesteban
Baker	Finney	Lewis	Schulle
Bass, B.	Floyd	Lombardino	Semos
Bass, T.	Foreman	Longoria	Shannon
Beckham	Gammage	Lovell	Sherman
Bigham	Garcia	McAlister	Short
Blanton	Golman	McKissack	Silber
Blythe	Grant	Moncrief	Simmons
Bowers	Hale	Moore, A.	Slack
Boyle	Hanna, Joe	Moore, G.	Slider
Braecklein	Hannah, John	Moore, T.	Smith
Braun	Harding	Moreno	Spurlock
Burgess	Harris	Murray	Stewart
Bynum	Hawkins	Nabers	Stroud
Caldwell	Hawn	Nelms	Swanson
Calhoun	Haynes	Neugent, D.	Tarbox
Cates	Head	Newton	Traeger
Cavness	Heatly	Nichols	Truan
Christian	Hendricks	Niland	Tupper
Clark	Hilliard	Nugent, J.	Uher
Clayton	Holmes, T.	Ogg	Vale
Coats	Holmes, Z.	Orr	Von Dohlen
Cobb	Howard	Parker, C.	Ward
Cole	Hubenak	Parker, W.	Wieting
Craddick	Hull	Patterson	Williams
Cruz	Ingram	Pickens	Williamson
Daniel	Johnson	Poerner	Wolff
Davis, D.	Jones, D.	Poff	Wyatt
Davis, H.	Jones, E.	Presnal	



Present—Not Voting

Mengden

Absent

Ligarde

Absent-Excused

Carrillo

Graves

Solomon

Wayne

Mr. Hale moved to reconsider the vote by which HSR 89 was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### HSR 266—ADOPTED

The Speaker laid before the House the following resolution on committee report:

HSR 266, Concerning investigations by certain state agencies.

Mr. Longoria offered the following committee amendment to the resolution:

##### Committee Amendment No. 1

Amend HSR 266 by striking all above the resolving clause and substituting therefor the following:

Whereas, Various agencies of the United States of America and of the State of Texas have investigated certain claims with respect to the National Bankers Life Insurance Company, the Sharps-town State Bank, and other institutions; and

Whereas, Members of the House of Representatives are interested in the welfare of the people of Texas, the financial institutions, and the regulated insurance companies; and

Whereas, The House of Representatives realizes the necessity and need for a full, fair, complete and thorough disclosure of all relevant facts in connection with this matter; and

Whereas, The Members of the House of Representatives welcome an investigation in good faith, and not for political purposes, of the factual matters involved in such claims and transactions; and

Whereas, There are presently pending certain law suits wherein Sharps-town State Bank and other institutions are involved, and there is no desire on the part of the House of Representatives to impair, impede or prejudice any legal proceeding in any judicial forum, whether pending or contemplated; and

Whereas, The House of Representatives desires to take such appropri-

ate steps as may be necessary to compile and publish in an impartial and accurate manner all of the pertinent facts in such matters:

Mr. Angly offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HSR 266 by adding immediately following the words "closing of" the words "and state deposits at" immediately preceding the words "the Sharpstown State Bank."

Mr. Carl Parker moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—107

Adams	Floyd	Longoria	Sanchez
Allen, John	Foreman	Lovell	Santiesteban
Atwell	Garcia	McAlister	Schulle
Atwood	Golman	McKissack	Semos
Baker	Hale	Moncrief	Shannon
Blanton	Hanna, Joe	Moore, A.	Short
Boyle	Harding	Moore, G.	Silber
Braecklein	Hawkins	Murray	Simmons
Burgess	Hawn	Nabers	Slack
Bynum	Haynes	Nelms	Slider
Calhoun	Heatly	Neugent, D.	Smith
Cates	Hilliard	Newton	Spurlock
Cavness	Holmes, T.	Niland	Stewart
Clark	Howard	Nugent, J.	Stroud
Clayton	Hubenak	Ogg	Swanson
Coats	Hull	Orr	Tarbox
Cobb	Ingram	Parker, C.	Traeger
Cole	Johnson	Parker, W.	Tupper
Cruz	Jones, D.	Patterson	Uher
Davis, D.	Jones, G.	Pickens	Von Dohlen
Davis, H.	Jungmichel	Poerner	Ward
Doran	Kilpatrick	Poff	Wieting
Doyle	Kost	Presnal	Williams
Dramberger	Kubiak	Price	Williamson
Finck	Lemmon	Rosson	Wolff
Finnell	Lewis	Salem	Wyatt
Finney	Lombardino	Salter	

Nays—34

Agnich	Bowers	Gammage	Moore, T.
Allen, Joe	Braun	Grant	Moreno
Allred	Caldwell	Harris	Nichols
Angly	Christian	Head	Reed
Bass, B.	Craddick	Holmes, Z.	Rodriguez
Bass, T.	Daniel	Jones, E.	Truan
Beckham	Denton	Kaster	Vale
Bigham	Earthman	Lee	
Blythe	Farenthold	Mengden	

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Absent

Hannah, John	Hendricks	Ligarde	Sherman
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## Absent-Excused

Carrillo	Graves	Solomon	Wayne
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Committee Amendment No. 1 was adopted.

Mr. Ogg offered the following amendment to the resolution:

Amend HSR 266 by striking all below the resolving clause and substituting therefor the following:

That the following named persons or departments: The Attorney General of Texas or the Attorney General's designee from his staff; or the First Assistant Attorney General or his designee from his staff; The Commissioner of the Texas Department of Banking; The Commissioner of the State Securities Board of Texas; The Commissioner of the State Board of Insurance of Texas; The President of the State Bar of Texas; The President of the Texas Investment Bankers Association; The President of the Texas Society of Certified Public Accountants; be, and they are, hereafter instructed to investigate, compile and file in the office of the Attorney General of Texas the complete record of all factual information with regard to the closing of the Sharpstown State Bank, the enjoining of National Bankers Life Insurance Co., and all related matters; as soon as practicable; and, be it further

Resolved, That any Member of the Legislature, any elected official, any appointed official and any citizen be, and is hereby, invited to present to the Attorney General any information he/she or they may have which bears in any way upon the subject matters under inquiry by virtue of this resolution; and, be it further

Resolved, That all departments or agencies of the State of Texas cooperate and make available any requested information, data, documents or records of such department or agency to the Attorney General of Texas (or his designee from his staff; or the First Assistant to the Attorney General of Texas or his designee from the Attorney General's staff) and that all elected or appointed officials and/or their employees or agents make available any requested information, data, documents or records; and, be it further

Resolved, That the Attorney General of the State of Texas (or his designee from his staff; the First Assistant Attorney General of Texas or his designee from the Attorney General's staff) is hereby instructed to compile such information in an orderly manner, and all information, data, documents or records so compiled shall be made available to the Members of the House of Representatives General Investigating Committee and all Members of the House of Representatives, Senate, any authorized member of any state or federal agency and to the general public.

Signed: Ogg and Carl Parker

Mr. Denton offered the following amendment to the Ogg amendment:

Amend the Ogg-C. Parker Amendment to HSR 266 by adding to the first resolving clause, following "matters":

"to wit, the bicameral legislative history of HB 72 and HB 73 passed during the Second Called Session of the 61st Legislature"

Mr. Carl Parker moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—106

Adams	Floyd	Lombardino	Santiesteban
Allen, John	Foreman	Longoria	Schulle
Atwell	Garcia	Lovell	Semos
Atwood	Golman	McAlister	Sherman
Baker	Hale	McKissack	Short
Blanton	Hanna, Joe	Moncrief	Silber
Boyle	Harding	Moore, A.	Simmons
Braecklein	Hawkins	Moore, G.	Slack
Burgess	Hawn	Murray	Slider
Bynum	Haynes	Nabers	Smith
Calhoun	Heatly	Nelms	Spurlock
Cates	Hilliard	Neugent, D.	Stewart
Cavness	Holmes, T.	Newton	Stroud
Clark	Hubenak	Niland	Swanson
Clayton	Hull	Nugent, J.	Tarbox
Coats	Ingram	Ogg	Traeger
Cobb	Johnson	Parker, C.	Tupper
Cole	Jones, D.	Parker, W.	Uher
Cruz	Jones, G.	Pickens	Von Dohlen
Davis, D.	Jungmichel	Poerner	Ward
Davis, H.	Kaster	Poff	Wieting
Doran	Kilpatrick	Presnal	Williams
Doyle	Kost	Price	Williamson
Dramberger	Kubiak	Rosson	Wolff
Finck	Lemmon	Salem	Wyatt
Finnell	Lewis	Salter	
Finney	Ligarde	Sanchez	

Nays—37

Agnich	Braun	Hannah, John	Moreno
Allen, Joe	Caldwell	Harris	Nichols
Allred	Christian	Head	Patterson
Angly	Craddick	Hendricks	Reed
Bass, B.	Daniel	Holmes, Z.	Rodriguez
Bass, T.	Denton	Howard	Truan
Beckham	Earthman	Jones, E.	Vale
Bigham	Farenthold	Lee	
Blythe	Gammage	Mengden	
Bowers	Grant	Moore, T.	

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**Present—Not Voting****Shannon****Absent****Orr****Absent-Excused****Carrillo****Graves****Solomon****Wayne**

Mr. Bigham offered the following amendment to the Ogg amendment:

Amend the Ogg-C. Parker amendment to HSR 266 by adding to the last resolving clause, after "manner":

"to issue a progress report by May 15, 1971"

Mr. Carl Parker moved to table the amendment.

The motion to table prevailed.

The Ogg amendment was then adopted.

Mr. Blythe offered the following amendment to the resolution:

Substitute for HSR 266.

**RESOLUTION**

Whereas, Some of the leaders of the government of the State of Texas are known to be associated with some of those who presently stand accused by The Securities and Exchange Commission of fraud and deceitful practices involving misuse of their positions; and

Whereas, The disclosures concerning these prominent public figures have created an atmosphere of suspicion and distrust at a crucial time in legislative history which could be disastrous to Texas government; and

Whereas, The Members of the House of Representatives desire that the good names of all state government officials and all state governmental agencies be clearly removed from the cloud of suspicion and distrust; and

Whereas, The Members of the House of Representatives desire that there be a thorough and rational study and investigation to probe all channels of possible breaches of public trust in hopes of ending such breaches and betrayals; and

Whereas, The Members of the House of Representatives realize that the citizens of Texas desire that such an investigation be made by a committee whose membership shall be composed of competent and respected Texas citizens whose employment is outside of the framework of Texas Government; now, therefore, be it

Resolved by the House of Representatives, That the Honorable Speaker

of the House is hereby authorized and directed to take immediate steps to create a Committee to be known as the "Citizens Task Force" to study and investigate, including but not limited to the following:

(1) The alleged fraudulent manipulation of stock, and the knowledge and acquiescence of Texas public officials, whether elected or appointed, if any;

(2) Loans made, suggested, or arranged by principals, or by financial institutions owned or controlled by principals, charged or otherwise related to the alleged fraudulent manipulation of stock, to Texas public officials, whether elected or appointed, for the purpose of purchasing said stock, or for any other purpose;

(3) The proposal, drafting, introduction, referral, passage, amending, enactment, and subsequent vetoing of HB 72 and HB 73, Second Called Session, 61st Legislature; and the relation of such bills, if any, to the allegations made by the Securities and Exchange Commission concerning the fraudulent manipulation of stock;

(4) The purchase of allegedly fraudulently manipulated stock by Texas public officials, whether elected or appointed, and the profits or losses realized thereby;

(5) The evidence, if any, that individuals having a direct interest in a measure pending before, or thereafter introduced into the Legislature did directly or indirectly give or promise to give things of value, privilege, and personal advantage to Members of the Legislature, and did privately attempt to influence the action of any Member by methods other than by appealing to the reason of the Member, in violation of the Constitution and laws of this state; and, be it further

Resolved, That the Honorable Speaker of the House is authorized and directed to request that the respective Presidents of the following trade and professional associations shall each appoint a member of their association to the investigative committee. The trade and professional associations shall be: The Society of Certified Public Accountants, Texas Bankers Association, State Bar of Texas, Texas Real Estate Association, and National Association of Securities Dealers; and, be it further

Resolved, That the Honorable Speaker shall request that the Chairman of the Judicial Qualification Commission appoint to the investigative committee one member of the clergy, a full professor of Texas government from a private University, a member selected from among the array of Texas Life Insurance Company Management, and two Members from the Texas House of Representatives, each belonging to a separate political party; and, be it further

Resolved, That each member appointed shall be a practicing member of his or her profession, and that none of said members shall be actively engaged in doing business with the state or receiving an income from the state and shall have had no dealings with any of the individuals or firms implicated in the Securities and Exchange Commission investigation; and, be it further

Resolved, That the Chairman of the Committee shall be elected from its membership at the Committee's first meeting and notice of such meeting shall be posted as to time and place; and, be it further

Resolved, That said Committee shall determine its own rules excepting that the chairman shall vote only in the case of a tie vote; and, be it further

Resolved, That said committee is hereby authorized to request the services and assistance of the State Auditors Department, the State Securities Board, the Texas Legislative Council, the Department of Public Safety, the Attorney General's Department, the State Treasurer's Department, the State Banking Commission, the State Board of Insurance, and all other state agencies and officers, and it shall be the duty of said departments, agencies, and officers to assist the Committee when requested to do so. The committee shall have the power to inspect the records, documents and files of every state department, agency, and officer, and of all municipal, county or other political subdivisions of the state and to examine into their duties, responsibilities and activities; and, be it further

Resolved, That the committee be authorized to hire investigative personnel, clerical personnel and such other help as is needed, including legal counsel; and, be it further

Resolved, That such sums as may, from time to time be necessary, be appropriated from the contingent expenses of the House to carry on the work of the committee; and, be it further

Resolved, That said Committee shall make a preliminary report to the Legislature on or before May 1, 1971 and make such additional reports to the Legislature as it deems appropriate, with a final report submitted as expeditiously as possible; and, be it further

Resolved, That all proceedings of the committee shall be open to the public and be recorded and that all testimony before the committee be recorded and promptly printed and placed in the public record; and, be it further

Resolved, That this committee is to ascertain the truth and that it be authorized to begin work immediately; and, be it further

Resolved, That this House of Representatives, upon the committee's report, shall take such measures as may be necessary so as to insure that the best interest of Texas citizens shall be protected.

(Mr. Jim Nugent occupied the Chair temporarily)

(Speaker in the Chair)

Mr. Edmund Jones raised a point of order against further consideration of the amendment on the grounds that the resolution violates the state open meetings laws.

The Speaker overruled the point of order.

Mr. Carl Parker moved to table the Blythe amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

## Yeas—119

Adams	Finnell	Lemmon	Salter
Allen, Joe	Finney	Lewis	Sanchez
Allen, John	Floyd	Ligarde	Santiesteban
Atwell	Foreman	Lombardino	Schulle
Atwood	Gammage	Longoria	Semos
Baker	Garcia	Lovell	Shannon
Beckham	Golman	McAlister	Sherman
Bigham	Hale	McKissack	Short
Blanton	Hanna, Joe	Moncrief	Silber
Boyle	Harding	Moore, A.	Simmons
Braecklein	Hawkins	Moore, G.	Slack
Burgess	Hawn	Murray	Slider
Bynum	Haynes	Nabers	Smith
Calhoun	Heatly	Nelms	Spurlock
Cates	Hendricks	Neugent, D.	Stewart
Cavness	Hilliard	Newton	Swanson
Christian	Holmes, T.	Niland	Tarbox
Clark	Holmes, Z.	Nugent, J.	Traeger
Clayton	Howard	Ogg	Truan
Coats	Hubenak	Orr	Tupper
Cobb	Hull	Parker, C.	Uher
Cole	Ingram	Parker, W.	Vale
Cruz	Johnson	Patterson	Von Dohlen
Daniel	Jones, D.	Pickens	Ward
Davis, D.	Jones, G.	Poerner	Wieting
Davis, H.	Jungmichel	Poff	Williams
Doran	Kaster	Presnal	Williamson
Doyle	Kilpatrick	Price	Wolff
Dramberger	Kost	Rosson	Wyatt
Finck	Kubiak	Salem	

## Nays—25

Agnich	Braun	Hannah, John	Moreno
Allred	Caldwell	Harris	Nichols
Angly	Craddick	Head	Reed
Bass, B.	Denton	Jones, E.	Rodriguez
Bass, T.	Earthman	Lee	
Blythe	Farenthold	Mengden	
Bowers	Grant	Moore, T.	

## Absent

## Stroud

## Absent-Excused

Carrillo	Graves	Solomon	Wayne
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Mr. Vale offered the following amendment to the resolution:

Amend HSR 266 by deleting all above and all below the resolving clause and substituting in lieu thereof the following:

Whereas, Evidence has been presented in the courts of the United States



to the effect that certain persons have, directly or indirectly, given things of value, privilege, and personal advantage to Members of the Legislature of this state, intending thereby to influence them in the performance of their official duties; and

Whereas, Evidence has been presented in the courts of the United States to the effect that certain persons having a direct interest in a measure pending before, or thereafter to be introduced, in the Legislature of this state, did privately attempt to influence the actions of certain Members by methods other than by appealing to the reason of such Members; and

Whereas, Evidence has been presented in the courts of the United States to the effect that certain employed agents or representatives did privately endeavor to exercise influence over Members of the Legislature of this state concerning a measure then pending before such Legislature; and

Whereas, All free governments are founded on the authority of the people, and instituted for their benefit; and

Whereas, The preservation of popular confidence in the integrity of such a government is among the most solemn duties of a public official; and

Whereas, The indifference or inaction of this Legislature upon the presentation of evidence that corrupt practices have been exerted against certain of its Members could be viewed, and will understandably be viewed, as proof that the Government of Texas is not unswervingly committed to the best interests of those for whose benefit it has been instituted; and

Whereas, This Legislature has the right and duty to investigate any and all charges of undue influence against its Members; to pursue such charges until the truth be known; and to take such measures as may be necessary to prevent their repetition, all to the end that the Government of Texas may be rightly known as one whose officials act in no other interest than that of the people whom they serve; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, That the House of Representatives of the State of Texas create a Committee on Legislative Ethics, and that this Committee be charged with the fundamental purpose of restoring the confidence of the people of Texas in their government; and, be it further

Resolved, That to accomplish this end, the House Committee on Legislative Ethics shall investigate every circumstance and detail of the stock fraud allegations involving Texas public officials brought by the Securities and Exchange Commission, including but not limited to the following:

(1) The fraudulent manipulation of stock, and the knowledge and acquiescence of Texas public officials, whether elected or appointed, if any;

(2) Loans made, suggested, or arranged by principals, or by financial institutions owned or controlled by principals, charged or otherwise related to the fraudulent manipulation of stock, to Texas public officials, for the purpose of purchasing said stock, or for any other purpose;

(3) The proposal, drafting, introduction, referral, passage, enactment, and subsequent vetoing of HB 72 and HB 73, 2nd Called Session, 61st Legis-

lature; and the relation of such bills, if any, to the allegations made by the Securities and Exchange Commission concerning the fraudulent manipulation of stock;

(4) The purchase of fraudulently manipulated stock by Texas public officials, whether elected or appointed, and the profits or losses realized thereby;

(5) The evidence, if any, that individuals having a direct interest in a measure pending before, or thereafter introduced into, the Legislature did directly or indirectly give or promise to give things of value, privilege, and personal advantage to Members of the Legislature, and did privately attempt to influence the action of any Member by methods other than by appealing to the reason of the Member, in violation of the Constitution and laws of this state; and, be it further

Resolved, That the Committee study the nature of the relationship between Members of the Legislature, or any other public official, whether elected or appointed, and persons who seek to influence legislation or the decision-making process by any branch of government in this state; and, be it further

Resolved, That the Committee on Legislative Ethics shall consist of seven Members of the House of Representatives; and, be it further

Resolved, That immediately upon the adoption of this resolution the Speaker of the House of Representatives shall appoint the members of the Committee of Legislative Ethics, and that the Speaker in appointing the members of said committee shall do so in strict conformity with the following criteria:

Two committee members shall be members of the minority party.

Two committee members shall be members of the majority party who are not a Chairman or Vice-Chairman of a House Standing Committee.

One committee member shall be a resident of a county with a population of not less than 700,000.

One committee member shall be a resident of a county with a population of not less than 100,000 nor more than 699,999.

One committee member shall be a resident of a county with a population of not more than 99,999.

No committee member appointed shall fulfill more than one guideline criterion; and, be it further

Resolved, That said committee is hereby authorized to request the services and assistance of the State Auditors Departments, the Texas Legislative Council, the Department of Public Safety, the Attorney General's Department, the State Treasurer's Department, the State Banking Commission, the State Board of Insurance, and all other state agencies and officers, and it shall be the duty of said departments, agencies, and officers to assist the committee when requested to do so. The committee shall have the power to inspect the records, documents and files of every state de-

partment, agency, and officer, and of all municipal, county or other political subdivisions of the state and to examine into their duties, responsibilities and activities; and, be it further

Resolved, That said committee having ascertained the true facts, it shall examine all relevant matters of fact and law as may be found in the Constitution of the State of Texas, in the statutes, or in the rules of either House to report its findings and conclusions and to recommend criminal proceedings, censure or expulsion of Members of the Legislature and/or impeachment of other state officials as may be appropriate to the end that justice may be done; and, be it further

Resolved, That any vacancy on said committee shall be filled by a Member of the House and that said Committee shall choose the replacement by a majority vote of said Committee in accordance with the classification from which the vacating member was originally chosen; and, be it further

Resolved, That the committee is authorized to conduct its proceedings at such times and places as it deems appropriate to its functions, to formulate its own rules of conduct and of procedure; and, be it further

Resolved, That the committee be authorized to hire investigative personnel, clerical personnel and such other help as is needed, including legal counsel; and, be it further

Resolved, That such sums as may, from time to time be necessary, be appropriated from the contingent expenses of the House to carry on the work of the committee; and, be it further

Resolved, That the committee have the power to subpoena and enforce subpoenas on witnesses and records and the power to punish for contempt, and all other investigative powers which the Legislature has the legal power to invest; and, be it further

Resolved, That said committee shall make a preliminary report to the Legislature on or before May 15, 1971 and make such additional reports to the Legislature as it deems appropriate, with a final report submitted to the next Regular Session of the Legislature; and, be it further

Resolved, That the committee shall not grant immunity from testimony, nor may any person claim any privilege from testimony before the committee except in presentation of rights guaranteed in the Constitution of the State of Texas and the Constitution of the United States; and, be it further

Resolved, That all proceedings of the committee be recorded and that all testimony before the committee be recorded and promptly printed and placed in the public records; and, be it further

Resolved, That the purpose of the committee is to ascertain the truth and that it be authorized to begin work immediately.

Mr. Carl Parker moved to table the amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

**Yeas—107**

Adams	Floyd	Ligarde	Sanchez
Allen, John	Foreman	Lombardino	Santiesteban
Atwell	Gammage	Longoria	Schulle
Atwood	Garcia	Lovell	Semos
Baker	Golman	McAlister	Sherman
Beckham	Hale	McKissack	Short
Blanton	Hanna, Joe	Moncrief	Silber
Boyle	Harding	Moore, A.	Simmons
Braecklein	Hawn	Moore, G.	Slack
Burgess	Haynes	Nabers	Slider
Bynum	Heatly	Nelms	Smith
Calhoun	Hendricks	Neugent, D.	Spurlock
Cates	Hilliard	Newton	Stewart
Cavness	Holmes, T.	Niland	Stroud
Clark	Hubenak	Nugent, J.	Swanson
Clayton	Hull	Ogg	Tarbox
Coats	Ingram	Orr	Traeger
Cobb	Johnson	Parker, C.	Tupper
Cole	Jones, D.	Parker, W.	Uher
Cruz	Jones, G.	Pickens	Von Dohlen
Davis, D.	Jungmichel	Poerner	Ward
Davis, H.	Kaster	Poff	Wieting
Doran	Kilpatrick	Presnal	Williams
Doyle	Kost	Price	Williamson
Dramberger	Kubiak	Rosson	Wolff
Finnell	Lemmon	Salem	Wyatt
Finney	Lewis	Salter	

**Nays—36**

Agnich	Braun	Grant	Mengden
Allen, Joe	Caldwell	Hannah, John	Moore, T.
Allred	Christian	Harris	Moreno
Angly	Craddick	Hawkins	Nichols
Bass, B.	Daniel	Head	Patterson
Bass, T.	Denton	Holmes, Z.	Reed
Bigham	Earthman	Howard	Rodriguez
Blythe	Farenthold	Jones, E.	Truan
Bowers	Finck	Lee	Vale

**Present—Not Voting**

**Shannon**

**Absent**

**Murray**

**Absent-Excused**

Carrillo	Graves	Solomon	Wayne
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HSR 266, as amended, was adopted by the following vote:

## Yeas—128

Adams	Doran	Kaster	Rosson
Agnich	Doyle	Kilpatrick	Salem
Allen, Joe	Dramberger	Kost	Salter
Allen, John	Finck	Kubiak	Sanchez
Allred	Finnell	Lee	Santiesteban
Angly	Finney	Lemmon	Schulle
Atwell	Floyd	Lewis	Semos
Atwood	Foreman	Ligarde	Shannon
Baker	Gammage	Lombardino	Sherman
Bass, B.	Garcia	Longoria	Short
Beckham	Golman	Lovell	Silber
Bigham	Grant	McAlister	Simmons
Blanton	Hale	McKissack	Slack
Boyle	Hanna, Joe	Moncrief	Slider
Braecklein	Hannah, John	Moore, A.	Smith
Burgess	Harding	Moore, G.	Spurlock
Bynum	Hawkins	Murray	Stewart
Caldwell	Hawn	Nabers	Stroud
Calhoun	Haynes	Nelms	Swanson
Cates	Heatly	Neugent, D.	Tarbox
Cavness	Hendricks	Newton	Traeger
Christian	Hilliard	Niland	Truan
Clark	Holmes, T.	Nugent, J.	Tupper
Clayton	Holmes, Z.	Ogg	Uher
Coats	Howard	Orr	Vale
Cobb	Hubenak	Parker, C.	Von Dohlen
Cole	Hull	Parker, W.	Ward
Craddick	Ingram	Pickens	Wieting
Cruz	Johnson	Poerner	Williams
Daniel	Jones, D.	Poff	Williamson
Davis, D.	Jones, G.	Presnal	Wolff
Davis, H.	Jungmichel	Price	Wyatt

## Nays—16

Bass, T.	Earthman	Jones, E.	Nichols
Bowers	Farenthold	Mengden	Patterson
Braun	Harris	Moore, T.	Reed
Denton	Head	Moreno	Rodriguez

## Present—Not Voting

Blythe

## Absent-Excused

Carrillo	Graves	Solomon	Wayne
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Mr. Ogg moved to reconsider the vote by which HSR 266 was adopted and to table the motion to reconsider.

The motion to table prevailed.

## REASONS FOR VOTING NO ON HSR 266

HSR 266 only creates the impression that the House plans to under-

take a real investigation. I voted No on HSR 266 for the following specific reasons:

(1) HSR 266 establishes a procedure which will, at best, produce information that will not be relevant to that which the House should be investigating—the bicameral legislative history of HB 72 and HB 73, passed during the Second Special Session, 1969. HSR 266 only instructs various State agencies and lobbyists to compile information “with regard to the closing of the Sharpstown State Bank, the enjoining of National Bankers Life Insurance Co., and all related matters . . .” Various attempts to amend HSR 266 on the House floor, in order to instruct these agencies and persons to produce information relating to the legislative process were defeated.

(2) By passing HSR 266, the House seemed to be saying that it doubted the ability of its own General Investigating Committee to conduct a true investigation. The superfluous investigative machinery, established by HSR 266, will, in all likelihood, either delay the work of the House General Investigating Committee, or will divert attention from the conduct of both Houses of the Legislature during the Second Called Session in 1969.

Signed: Representative Frances Tarlton Farenthold

#### SCR 63—ADOPTED

The Speaker laid before the House the following resolution on committee report:

SCR 63, Providing for closing of state departments on Good Friday.

The resolution was adopted.

#### MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HCR 100, by Sherman, Lewis, Moncrief, Spurlock, Hilliard, Shannon, Hull and Finney: In memory of Raymond E. Buck.

On motion of Mr. Sherman the names of all the Members of the House were added to the resolution as signers thereof.

#### HB 343 WITH SENATE AMENDMENTS

Mr. Clayton called up with Senate Amendments for consideration at this time,

HB 343, Adopting the Water Code.

On motion of Mr. Clayton the House concurred in the Senate Amendments to HB 343.

Mr. Clayton moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 343 and to table the motion to reconsider.

The motion to table prevailed.

## VOTE RECORDED

Mr. Kubiak requested to be recorded as voting Nay on the motion to concur in Senate Amendments to HB 343.

## HB 343—TEXT OF SENATE AMENDMENTS

Amend Sections 60.245 and 60.246 of HB 343 to read as follows:

"Sec. 60.245. Status of Converted District. A district which is converted under the provisions of this subchapter shall be constituted a district operating under Article XVI, Section 59, of the Texas Constitution and shall be governed by the provisions of Chapter 62 of this code as if it had originally been organized under Article XVI, Section 59, of the Texas Constitution, except the commissioners of a converted district shall be appointed in the manner that initial commissioners are appointed under Sections 62.061 and 62.062 of this code. (41st Legis., 1st C.S., Ch. 103, Sec. 1, sen. 8.)

"Sec. 60.246. Powers of Converted District. (a) Nothing in this subchapter shall be construed to deprive a converted district of any powers conferred on it by law under which it was organized.

"(b) A converted district shall have the additional powers conferred on districts under Sections 61.151, 61.161-61.168, 61.170, and 61.172-61.175 of this code, and the commissioners of a converted district shall constitute a pilot board under the provisions of Articles 8248-8257, Revised Civil Statutes of Texas, 1925.

"(c) If there is a conflict between the powers conferred by Section 60.245 of this code and the powers preserved by Subsection (a) of this Section, the powers conferred by Section 60.245 shall control. (41st Legis., 1st C.S., Ch. 103, Sec. 2.)"

Amend Subsection (a) of Section 62.061 of HB 343 to read as follows:

"(a) The navigation board shall include the members of the commissioners court and the mayor and aldermen or commissioners of the included city or cities acting under special charter granted by the Legislature. If there is only one city or part of one city acting under special charter granted by the Legislature inside the proposed district and if the charter of the city at any time authorizes the city council or city board of commissioners to be greater in number than the members of the commissioners court, the number of aldermen or city commissioners who are entitled to sit and vote as members of the board along with the mayor will be limited to that number which equals the number of members of the commissioners court. The aldermen or city commissioners entitled to act as members of the board shall be determined by the members of the city council or city board of commissioners among themselves."

Amend Subsection (c) of Section 5.144 of HB 343 to read as follows:

"(c) If the commission believes that an appropriation or permit should be declared forfeited under this section or any other sections of this code, it should give the appropriator or permittee 30 days notice and provide him with an opportunity to be heard."

Amend HB 343 by striking Section 3 on page 529 and renumbering the following sections.

Amend Section 6 on page 530 of HB 343 to add a new Subsection (c) to read as follows:

"(c) In determining the effect of any provision of this code, the effective date of the provision shall be considered to be the same as the effective date of its statutory source. The purpose of this exception is to preserve the effect of any statute not expressly repealed by Section 2 of this Act."

Amend Subsection (b) of Section 56.210 of HB 343 to read as follows:

"(b) Interest is shown by coupons attached to the bonds. The commissioners court may pay the interest on the bonds annually or semiannually."

Amend Subsection (b) of Section 53.184 of HB 343 to read as follows:

"(b) Interest is shown by coupons attached to the bonds. The board may pay the interest on the bonds annually or semiannually."

Amend Subsection (b) of Section 57.213 of HB 343 to read as follows:

"(b) Interest is shown by coupons attached to the bonds, and the commissioners court of jurisdiction shall determine whether the board will pay the interest on the bonds annually or semiannually."

Amend Subsection (b) of Section 5.044 of HB 343 to read as follows:

"(b) If any public road, highway, or public bridge is located on the ground necessary for a damsite, reservoir, or lake, the commissioners court shall change the road and remove the bridge so that it does not interfere with the construction of the proposed dam, reservoir, or lake. The party desiring to construct the dam, reservoir, or lake shall pay the expense of moving the bridge or roadway."

Amend caption to conform to body of bill.

HB 343—AUTHORIZATION TO USE PRINTED BILL AS  
ENROLLED BILL

Mr. Clayton moved to suspend all necessary rules to allow the Engrossing and Enrolling Clerk to use the printed copy of HB 343, with amendments, as the enrolled bill.

There was no objection and it was so ordered.

HB 1458 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 1458, A bill to be entitled An Act relating to the creation, establishment, maintenance, financing powers, duties, and operation of certain water districts under the Model Water District Act; and declaring an emergency.

The bill was read second time.



Mr. Solomon offered Committee Amendment No. 1 to the bill.

Mr. Poerner offered the following amendment to Committee Amendment No. 1:

Amend the quoted Section 54.216 in Committee Amendment No. 1 to HB 1458 by changing the period at the end of that section to a semicolon and inserting the following:

"provided that two weeks' notice be given to all landowners involved and that if any activities cause damage to the land or property, the land or property shall be restored as nearly as possible to the original state. The cost of restoration shall be borne by the district."

The amendment was adopted without objection.

Mr. Clayton offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HB 1458, Section 54.212, Eminent Domain, by striking paragraph (a) and substituting the following:

(a) A district may acquire any land, easements, or other property inside the district or within five miles of the district solely for sewer, water, storm drainage, and flood drainage connections when necessary by condemnation, and may elect to condemn either the fee simple title or an easement only.

The amendment was adopted without objection.

Mr. Truan moved that consideration of HB 1458 be postponed until 11:00 a.m., Tuesday, March 30, 1971.

Mr. John Allen moved to table the motion to postpone.

The motion to table prevailed.

Mr. Truan raised a point of order against further consideration of Committee Amendment No. 1 on the grounds that the new material is not underlined.

The Speaker overruled the point of order.

#### VOTE RECORDED

Mr. Patterson requested to be recorded as voting Nay on the motion to table the motion to postpone consideration of HB 1458.

#### PROVIDING FOR ADJOURNMENT

Mr. Braun moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the House adjourn until 10:00 a.m. tomorrow.

The motion prevailed without objection.

## SCR 66—REFERRED TO COMMITTEE

(Requesting return of SB 333 to the Senate)

The Speaker laid before the House the following resolution:

SCT. 66

Whereas, SB 333 has been passed by both the Senate and the House and is now in the office of the Governor, and there are certain corrections to be made therein; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Governor be and is hereby respectfully requested to return SB 333 to the Senate for correction; and, be it further

Resolved, That the action of the President of the Senate and the Speaker of the House in signing SB 333 be declared null and void, and that the two presiding officers be authorized to remove their signatures from the Enrolled Bill; and, be it further

Resolved, That the Engrossing and Enrolling Clerk of the Senate be and is hereby directed to correct the enrolled copy of SB 333.

Amend the caption to conform to the body of the bill.

The resolution was referred to the Committee on Rules.

## HCR 99—REFERRED TO COMMITTEE

(Requesting the Texas Education Agency to include information on epilepsy in curriculum)

Mr. Harold Davis offered the following resolution:

HCR 99

Whereas, Epilepsy has been characterized as the most misunderstood disease in America; and

Whereas, Much of the public's lack of knowledge and understanding about epilepsy could be reduced by the institution of special programs of study in the elementary schools of our state; and

Whereas, It is important that the State of Texas strive to educate all of its citizens in the nature and problems of epilepsy so that epileptics will not be subjected to misunderstanding or unjust discrimination; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That the Texas Education Agency be and it is hereby requested to include in its curriculum a positive and adequate program of instruction in the appropriate courses to thoroughly inform elementary school children on the subject of epilepsy; and, be it further

Resolved, That the Texas Education Agency be requested to prepare a

written report as to what is now being accomplished to achieve such educational instruction in epilepsy and what additional steps will be taken to implement the request for further education made by this Resolution; that a copy of this report shall be provided to each Member of the Legislature and to the Epilepsy Foundation of America, 733 15th Street, N.W., Washington, D.C. 20005; and, be it further

Resolved, That an official copy of this Resolution be presented to the Texas Education Agency with the request that immediate action be taken to accomplish the expressed purposes of this Resolution.

The resolution was referred to the Committee on Public Education.

#### HSR 287—REFERRED TO COMMITTEE

(Creating a special interim committee on electrology)

Mr. Golman offered the following resolution:

#### HSR 287

Whereas, The practice of electrology occupies a respected place as a cosmetological procedure and, as a specialized branch of medicine, requires special instruction and training in the medical arts; and

Whereas, The improper application of electrological procedures and equipment can result in major physical injury to the innocent citizens who rely upon the expertise of electrologists; and

Whereas, Electrologists have become recognized in Texas and throughout the nation as a specialized and professional class of medical practitioners; and

Whereas, It is important to all the citizens of Texas that this important profession be under such supervision as may be necessary to assure its effective regulation; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby create a special interim committee on electrology; the committee shall study all aspects of the occupation of electrology to determine the need and desirability of licensing and other regulatory measures in the State of Texas; and, be it further

Resolved, That the Speaker of the House shall appoint five Members of the House of Representatives, including one designated as chairman, to serve on the interim study committee; and, be it further

Resolved, That the staff of the Texas Legislative Council be requested to serve as staff for the study committee; and, be it further

Resolved, That the committee shall have power to hold meetings and such hearings as it may deem necessary at any place in the state and to issue process to witnesses, at any place in the state, to compel their attendance and the production of all books, records, and instruments, to issue attachments where necessary to obtain compliance with subpoenas or other process, which may be addressed to and served by either the ser-

geant-at-arms appointed by the committee or by any peace officer of this state; and to cite for contempt, and cause to be prosecuted for contempt, anyone disobeying the subpoenas or other process lawfully issued by it in the same manner as provided by general law. The chairman of the committee shall issue, in the name of the committee, such subpoenas as a majority of the committee may direct. In the event the chairman is absent, the vice-chairman or any designee of the chairman is authorized to issue subpoenas or any other process in the same manner as the chairman; and, be it further

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this Resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

#### SENATE BILL ON FIRST READING

The following Senate Bill was today laid before the House, read first time and referred to Committee, as follows:

SB 676 to the Committee on Governmental Affairs and Efficiency.

(Mr. Pickens in the Chair)

#### HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Joe Allen:

HB 1551, A bill to be entitled An Act relating to the labeling and the sale, offer for sale, or exposure for sale of certain detergents; providing a penalty; and declaring an emergency.

Referred to Committee on State Affairs.

By Golman:

HB 1552, A bill to be entitled An Act to amend Subchapter D, Chapter

21, Texas Education Code, by adding a Section 21.118, to authorize and provide for the establishment and administration of a comprehensive crime and narcotics education program encompassing the services and efforts of regional education service centers and Texas school districts; providing guidelines to be considered in program development purposes; providing for an appropriation of state funds in support thereof, and for an effective date of this Act; and declaring an emergency.

Referred to Committee on Public Education.

By Joe Allen:

HB 1553, A bill to be entitled An Act relating to the approval and filing of subdivision plats in incorporated cities and towns and in counties, the requiring of subdividers to make certain provisions for school, park, and playground areas, and the authority of the governing bodies of cities and towns and commissioners courts to establish certain standards; and declaring an emergency.

Referred to Committee on Counties.

By Joe Allen:

HB 1554, A bill to be entitled An Act relating to the protection of the red wolf in this state; providing a penalty; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Lemmon:

HB 1555, A bill to be entitled An Act creating the Commission on State Expenditure Review; defining its duties; empowering it to appoint a director and employ a staff; authorizing it to enter into contractual relationships and to accept contributions; and declaring an emergency.

Referred to Committee on Appropriations.

By Price:

HB 1556, A bill to be entitled An Act authorizing the Parks and Wildlife Department to execute deeds to exchange property for use as a state park, historic site or scientific area; providing tracts exchanged are for other adjoining lands at the same park, historic site or scientific area and without improvements except fencing; providing for the state to receive good and marketable title approved by the Attorney General's Office; requiring that tracts received in exchange be appraised and determined to be of equal value; providing for all exchanges to be with prior written approval of the Governor; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Golman and Finnell:

HB 1557, A bill to be entitled An Act amending Section (b), Article 10.01, Chapter 10, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-10.01, Vernon's Texas Civil Statutes), relating to

defining certain deceptive practices in the conduct of any trade or commerce, by adding Subsection (18) which makes a pyramid style or multi-level investment plan a deceptive practice; and declaring an emergency.

Referred to Committee on Judiciary.

By Ogg:

HB 1558, A bill to be entitled An Act relating to the sale or dispensing of drugs on the premises of a convalescent or nursing home; amending Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes), by adding Section 7a; and declaring an emergency.

Referred to Committee on Public Health.

By Stewart:

HB 1559, A bill to be entitled An Act relating to providing fishing licenses to members of the armed forces of a foreign nation stationed in Texas on United States military bases and installations; providing limitations; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Harris:

HB 1560, A bill to be entitled An Act relating to the creation of a Texas Casualty Insurance Corporation authorized to write fire and extended coverage insurance in the coastal area of Texas; and declaring an emergency.

Referred to Committee on Insurance.

By Moreno:

HB 1561, A bill to be entitled An Act relating to providing certain exemptions to Article 283, Penal Code of Texas, 1925, concerning working on Sunday; relating to the operation of certain businesses on Sunday; amending Articles 284 and 286, Penal Code of Texas, 1925; repealing Article 287, Penal Code of Texas, 1925, as amended, Section 2, Chapter 55, Acts of the 58th Legislature, 1963, and Chapter 15, Acts of the 57th Legislature, 1st Called Session, 1961 (Article 286a, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on State Affairs.

By Patterson, Johnson, Farenthold, and Moreno:

HB 1562, A bill to be entitled An Act relating to authority of the Banking Section of the Finance Commission to fix and impose margin requirements on securities loans in state banks; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency.

Referred to Committee on Banks and Banking.

By Heatly:

HB 1563, A bill to be entitled An Act authorizing a Revolving Petty Cash Fund for the Parks and Wildlife Department for refunds of cash receipts subject to approval of State Auditor; providing for account in Austin bank; allowing Executive Director to designate bonded employee to sign checks with prior Commission approval; authorizing reimbursement of fund by Comptroller from funds where refunded receipts were originally deposited; repealing laws or parts of laws in conflict; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Golman:

HB 1564, A bill to be entitled An Act amending Section (b), Article 10.01, Chapter 10, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-10.01, Vernon's Texas Civil Statutes), relating to defining certain deceptive practices in the conduct of any trade or commerce, by adding Subsection (17) which makes basing a charge for the repair of an item in whole or in part upon a guarantee or warranty a deceptive trade practice; and declaring an emergency.

Referred to Committee on Judiciary.

By Heatly:

HB 1565, A bill to be entitled An Act establishing in the State Treasury the Parks and Wildlife Operating Fund; authorizing expenditures for purposes specified by the General Appropriations Act; providing no expenditure from such fund except as authorized by law and providing nothing shall jeopardize Federal funds; repealing laws or parts of laws in conflict; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Heatly:

HB 1566, A bill to be entitled An Act authorizing the refund by warrant of funds deposited in the Treasury by the mistake of fact or law by the Parks and Wildlife Department; requiring appropriation for this purpose; allowing Comptroller to obtain evidence of such mistake; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Slider:

HB 1567, A bill to be entitled An Act amending Sections 1 and 4 of HB 276, Chapter 417, Acts, 60th Legislature, Regular Session, 1967, (Article 4413(32a), V.A.C.S.), concerning the provision of a focal point for State Planning and Coordination; continuing the Governor as the Chief Planning Officer of the state; creating a Division of Planning and Coordination in the Executive Office of the Governor designed to serve as the State's Clearinghouse for applications for federal assistance, provide assistance to Regional Planning Commissions, delineate regional boundaries for planning, provide for plans and implementation procedures for state

development, provide standards for effective planning, programming, and coordination, receive and expend federal funds, and perform other duties and responsibilities assigned by this Act; providing for the appointment and term of a Director of Planning and Coordination; providing for coordination of planning; providing a severability clause; and declaring an emergency.

Referred to Committee on State Affairs.

By Farenthold:

HB 1568, A bill to be entitled An Act amending the Uniform Narcotic Drug Act, 1937, as amended (Article 725b, Vernon's Texas Penal Code, as amended); providing penalties for possession of cannabis; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Farenthold:

HB 1569, A bill to be entitled An Act relating to the creation of the Governor's Committee on Early Childhood Education; and declaring an emergency.

Referred to Committee on Public Education.

By Farenthold:

HB 1570, A bill to be entitled An Act relating to day care for children of working mothers; and declaring an emergency.

Referred to Committee on State Affairs.

By Farenthold:

HB 1571, A bill to be entitled An Act relating to the eligibility of children to participate in the Basic Foundation School Program; amending Section 4, Chapter 872, Acts of the 61st Legislature Regular Session, 1969 (Article 2922-11a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Appropriations.

By Farenthold:

HB 1572, A bill to be entitled An Act repealing Section 8 of Article 46a, Revised Civil Statutes of Texas, 1925, relating to adoption of a white child by a negro person and of a negro child by a white person; and declaring an emergency.

Referred to Committee on Judiciary.

By Kaster:

HB 1573, A bill to be entitled An Act relating to the establishment of the Texas Border Development Commission; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.



By Johnson:

HB 1574, A bill to be entitled An Act creating and defining the authority of the Texas State Housing Authority; authorizing the issuance of revenue bonds; providing a method of financing private housing; and declaring an emergency.

Referred to Committee on State Affairs.

By Johnson:

HB 1575, A bill to be entitled An Act relating to the authority of the State Highway Department to construct certain buildings and to develop, use, and maintain certain property; and declaring an emergency.

Referred to Committee on State Affairs.

By McKissack:

HB 1576, A bill to be entitled An Act relating to the authority of the principal of any public school to suspend class activity under certain circumstances; and declaring an emergency.

Referred to Committee on Public Education.

By Shannon:

HB 1577, A bill to be entitled An Act relating to reorganizing the 20th and 21st Judicial Districts; making certain changes in the terms of the courts; prescribing the duties of the county attorney of Burleson County and providing for his salary; and declaring an emergency.

Referred to Committee on Judicial Districts.

By Uher:

HB 1578, A bill to be entitled An Act relating to requirements for mechanics and materialmen's liens and the inception thereof, establishing priorities with regard to other liens; and declaring an emergency.

Referred to Committee on Judiciary.

By Harris:

HB 1579, A bill to be entitled An Act relating to the creation of a Texas Casualty Insurance Corporation authorized to write fire and extended coverage insurance in the coastal area of Texas; and declaring an emergency.

Referred to Committee on Insurance.

By Finney:

HB 1580, A bill to be entitled An Act relating to the lease of uranium and thorium and related minerals within surveys and portions of surveys sold with minerals reserved to the state; amending Sections 1 and 3, Chapter 497, Acts of the 54th Legislature, 1955, as amended (Article

5421c-7, Vernon's Texas Civil Statutes), and Sections 1 and 2, Chapter 16, Acts of the 60th Legislature, Regular Session, 1967 (Article 5421c-10, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Oil, Gas, and Mining.

By Finney:

HB 1581, A bill to be entitled An Act to amend Acts 1969, 61st Legislature, Chapter 889, known as Texas Education Code, by amending Section 19.262, providing for annexation of school districts to contiguous independent school districts in counties with population exceeding 210,000 according to last preceding federal census; and declaring an emergency.

Referred to Committee on School Districts.

By Finney:

HB 1582, A bill to be entitled An Act relating to allowing private banks doing business in this state to apply and be accepted as state depositories; amending Articles 2526, 2527, and 2528, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Banks and Banking.

By Ogg:

HB 1583, A bill to be entitled An Act relating to the ineligibility of certain persons who are operators or employees of convalescent or nursing homes to act under authority of a power of attorney, or serve as agent or attorney in fact or personal representative of a person who resides or resided in the convalescent or nursing home; amending Section 110, Texas Probate Code; and declaring an emergency.

Referred to Committee on Judiciary.

By Golman:

HB 1584, A bill to be entitled An Act amending Section (b), Article 10.01, Chapter 10, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-10.01, Vernon's Texas Civil Statutes), relating to defining certain deceptive practices in the conduct of any trade or commerce, by amending Subsection (12); and declaring an emergency.

Referred to Committee on Judiciary.

By Golman:

HB 1585, A bill to be entitled An Act amending Section (b), Article 10.01, Chapter 10, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-10.01, Vernon's Texas Civil Statutes), relating to defining certain deceptive practices in the conduct of any trade or commerce, by adding Subsection (16) which makes a chain referral scheme a deceptive practice; and declaring an emergency.

Referred to Committee on Judiciary.

By Wyatt:

HB 1586, A bill to be entitled An Act regulating the production of marl, gravel, sand, shells, or mudshell under certain conditions; amending Article 4053, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Wyatt:

HB 1587, A bill to be entitled An Act relating to the closing of certain waters in Calhoun County to the taking or carrying away of marl, gravel, sand, shells, and mudshell; adding a Section 4053-1, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Wayne:

HB 1588, A bill to be entitled An Act relating to providing for a reduced license fee for farm semitrailers transporting agricultural products; and adding a new Subsection (c-2) (Article 6675a-2, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Highways and Roads.

By Wayne:

HB 1589, A bill to be entitled An Act amending the Texas Election Code; to authorize and require major political parties in Texas to adopt written rules governing the conduct of party meetings, conventions, and affairs; and declaring an emergency.

Referred to Committee on Elections.

By Wayne:

HB 1590, A bill to be entitled An Act amending Sections 2 through 7, Chapter 329, Acts of the 60th Legislature, Regular Session, 1967 (Article 6701c-3, Vernon's Texas Civil Statutes), by adding eye protection devices and passenger seat and footrests to the required equipment for motorcycle operators and passengers; prohibiting motorcycle operators from operating motorcycles if not properly equipped or carrying passengers if the vehicle is not properly equipped; providing for the issuance of minimum safety standards for protective eye protection devices and other safety equipment on motorcycles; providing for administration and enforcement; authorizing peace officers to stop and detain motorcycle operators and passengers if not properly equipped; prescribing a penalty; and declaring an emergency.

Referred to Committee on Highways and Roads.

By Ogg:

HB 1591, A bill to be entitled An Act amending Article 342-405 of the Texas Banking Code of 1943, as amended (Directors-Qualifications), so

as to provide that each director shall either own in his own right unpledged and unencumbered stock of a par value of One Thousand Dollars (\$1,000) in a state bank or in a corporation which owns eighty percent (80%) or more of all issued and outstanding stock of said bank; repealing all laws or parts of laws in conflict with the provisions of this act so far as they are in conflict; providing for severability; and declaring an emergency.

Referred to Committee on Banks and Banking.

By Farenthold:

HB 1592, A bill to be entitled An Act authorizing the commissioners court in certain counties to regulate the use of land lying outside the limits of incorporated cities, towns, and villages; promulgating standards for the control and regulation of waste discharges affecting the use of such land; providing that no existing structure or use will be affected; providing for notice and hearings; establishing and prescribing the duties of a zoning commission; providing for appeals; providing for enforcement; prescribing penalties; prescribing the effect of conflicting laws; providing exceptions; and declaring an emergency.

Referred to Committee on Counties.

By Farenthold:

HB 1593, A bill to be entitled An Act relating to the implementation of family planning services; and declaring an emergency.

Referred to Committee on State Affairs.

By D. Jones:

HB 1594, A bill to be entitled An Act relating to the provision of special license plates for vehicles owned by certain disabled persons; and declaring an emergency.

Referred to Committee on Highways and Roads.

By D. Jones:

HB 1595, A bill to be entitled An Act relating to granting tax advantages to manufacturers using Texas agricultural products; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Haynes:

HB 1596, A bill to be entitled An Act adding to the jurisdiction of the County Court at Law of Orange County; providing for jurisdiction of a court of domestic relations; providing that said Court shall have concurrent Jurisdiction with the District Courts of said County in certain enumerated matters, for the exchange of benches with the District Judges in said matters and the transferring of cases; providing a method of selecting a special Judge of said Court when the Judge of the County Court at Law of Orange County is disqualified or unable to serve; providing that nothing in this Act shall diminish the Jurisdiction of the District Courts of Orange

County; providing as additional concurrent jurisdiction, the County Court at Law of Orange County shall have original and appellate concurrent jurisdiction with the County Court of Orange County in civil and criminal matters, eminent domain, and probate and certain exceptions to concurrent jurisdiction; providing for the filing of cases with the County Clerk, the docketing of said cases; providing the Clerks for said Court; providing for the filing of cases with the District Clerk of Orange County; that said Court shall be a Court of record, have a seal; providing the duties and functions of Sheriff and other departments in connection with said Court; providing certain powers for said Court; providing the terms of said Court; providing that the Judge of said Court shall be a member of the Juvenile Board of Orange County, Texas; providing for appeals; providing for rules of practice and procedure laws of evidence and juries, procedures in said Court for the appointment and salary of a Court Reporter; the use and compensation of interpreters; that said Judge may not practice law; providing for compensation for the Judge of the County Court at Law of Orange County; providing that jurisdiction of the present District and County Courts shall not be diminished; providing for repeal of inconsistent Acts; providing for severance in case part of Act is found unconstitutional; and declaring an emergency.

Referred to Committee on Judiciary.

By Caldwell:

HB 1597, A bill to be entitled An Act relating to the creation of the County Court at Law of Brazoria County; and declaring an emergency.

Referred to Committee on Counties.

By Newton:

HB 1598, A bill to be entitled An Act relating to number and terms of office of members of the board of directors of the Hondo Creek Watershed Improvement District; finding proof of publication of notice; amending Section 3, Chapter 26, Acts of the 55th Legislature, 1st Called Session, 1957 (Article 8280-213, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By T. Moore, Denton, and Salter:

HB 1599, A bill to be entitled An Act relating to the compensation of the district attorney of the 19th, 54th, 74th, and 170th Judicial Districts and his assistants and investigators; amending Section 1, Chapter 716, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 326k-56, Vernon's Texas Civil Statutes); amending Section 2b, Chapter 206, Acts of the 50th Legislature, 1947, as amended (Article 326k-12, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Newton:

HB 1600, A bill to be entitled An Act relating to the salaries of deputies,

assistants, and clerks of district, county, or precinct officers in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Newton and Wieting:

HB 1601, A bill to be entitled An Act relating to the compensation of the official shorthand reporters for the 36th and 156th Judicial Districts; amending Section 1, Chapter 470, Acts of the 60th Legislature, Regular Session, 1967 (Article 2326j-59, Vernon's Texas Civil Statutes); amending Section 1, Chapter 52, Acts of the 61st Legislature, Regular Session, 1969 (Article 2326j-68, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Clark and Nelms:

HB 1602, A bill to be entitled An Act relating to the issuance of injection well permits; amending Section 3, Injection Well Act, as amended (Article 7621b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Clark and Nelms:

HB 1603, A bill to be entitled An Act providing for joint regulation of the collection and disposal of waste; authorizing levy of sewage service charges; relating to the staffs of sewage treatment plants and sewage collection systems; providing for approval of plans for plants and facilities; authorizing levy of a charge for discharge of waste; providing for review of programs affecting water quality; providing for approval of all public works projects; relating to devices for prevention of pollution; authorizing issuance and enforcement of regulations relating to watercraft; requiring permits for disposal of waste originating in or passing through the state; authorizing control of pesticides, herbicides, insecticides, fungicides, and rodenticides; providing a civil penalty; relating to enforcement actions; requiring cooperation between the Texas Water Quality Board and local governments; amending Sections 1.10 and 5.04 of, and adding Sections 3.34 through 3.44, 4.06, and 5.06 to the Texas Water Quality Act, as amended (Article 7621d-1, Vernon's Texas Civil Statutes); repealing Chapter 349, Acts of the 53rd Legislature, 1953, as amended (Article 135b-4, Vernon's Texas Civil Statutes), and Chapter 23, Acts of the 58th Legislature, 1963 (Article 135b-5, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on State Affairs.

By Doyle:

HB 1604, A bill to be entitled An Act authorizing the commissioners court of Jefferson County, Texas, to fix the salary of the commissioners of Jefferson County Drainage District No. 7; amending Chapter 34, Acts of the 57th Legislature, Third Called Session, 1962; and declaring an emergency.

Referred to Committee on Counties.

By Burgess:

HB 1605, A bill to be entitled An Act relating to the use of the county available school fund and eligibility for minimum foundation school program funds in certain counties; and declaring an emergency.

Referred to Committee on Public Education.

By Burgess:

HB 1606, A bill to be entitled An Act relating to credit for average daily attendance of students at certain county-wide schools in certain counties; and declaring an emergency.

Referred to Committee on Public Education.

By Burgess:

HB 1607, A bill to be entitled An Act relating to the salaries of the assistants to the county school superintendent in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Grant:

HB 1608, A bill to be entitled An Act relating to the office of bailiff of the 71st District Court; and declaring an emergency.

Referred to Committee on Judicial Districts.

By Daniel:

HB 1609, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Roman Forest Public Utility District No. 1; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and

notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Solomon:

HB 1610, A bill to be entitled An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the election of certain members to boards of trustees; validating the annexation of territory and the divorcement or separation from municipal control in all municipally controlled school districts; validating all bonds, bond taxes, maintenance taxes, and bond assumptions and the elections authorizing same, of and in all school districts, including all types of junior and regional college districts; providing this Act shall not be construed as validating any boundary change made or attempted to be made by any ex parte order, resolution, or other act of the board of trustees of any school district; providing that this Act shall have no application to litigation now pending questioning the validity of matters hereby validated, or to proceedings now pending before the county boards of trustees, State Commissioner of Education, or the State Board of Education, or to any district which has heretofore been declared invalid by certain courts, or to districts which may have been established and later returned to original status, providing such litigation or proceedings are ultimately determined against the validity of matters hereby validated; providing a saving clause; and declaring an emergency.

Referred to Committee on Higher Education.



By Ogg:

HB 1611, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Northwest Harris County Public Utility District No. 1; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1612, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Northwest Harris County Public Utility District No. 2; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of director's own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1613, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Northwest Harris County Public Utility District No. 3; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated and to situations where necessary to carry out the purposes for which District was created; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of District offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Simmons and Wolff:

HB 1614, A bill to be entitled An Act relating to the hiring, compensation, and status of school crossing guards in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Cobb:

HB 1615, A bill to be entitled An Act relating to an additional tax for common school districts in certain counties; amending Sections 1 and 3, Chapter 719, Acts of the 60th Legislature, Regular Session, 1967 (Article 2784e-10, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Foreman:

HB 1616, A bill to be entitled An Act prohibiting the capturing and transporting of live game animals without having first received written permission from the Parks and Wildlife Commission; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Allred:

HB 1617, A bill to be entitled An Act relating to exemption of military personnel from the requirement of obtaining a fishing license; amending Section 2, Chapter 239, Acts of the 55th Legislature, Regular Session, 1957 (Article 4032b-1, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Craddick:

HB 1618, A bill to be entitled An Act relating to the salary of the official shorthand reporter for the 142nd Judicial District of Texas; amending Section 1, Chapter 25, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 2326j-16, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Williams:

HB 1619, A bill to be entitled An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Cypresswood Utility District of Harris County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and

prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Hubenak:

HB 1620, A bill to be entitled An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Varner Creek Utility District of Brazoria County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Williams:

HB 1621, A bill to be entitled An Act exempting the property of volunteer fire departments from taxation; amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended, by adding a Section 28; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Williams, Nelms, Clark, E. Jones, Nichols, Swanson, Cruz, Gammage, Ogg, T. Bass, Lemmon, and Blythe:

HB 1622, A bill to be entitled An Act relating to the compensation of certain county officials in certain counties; amending Subsection (b), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Johnson:

HB 1623, A bill to be entitled An Act relating to the creation, maintenance, operation, powers, and duties of the Bexar County Rural Fire Prevention District No. 1; and declaring an emergency.

Referred to Committee on Counties.

By Johnson:

HB 1624, A bill to be entitled An Act relating to creation, establishment, maintenance, operation, powers, and duties of the Bexar County Water, Sewage, and Garbage Disposal District under Article XVI, Section 59, of the Texas Constitution; finding proof of publication of notice; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

HB 1625 (read first time, referred to Committee on Governmental Affairs and Efficiency on March 25, 1971.)

By Heatly:

HB 1626, A bill to be entitled An Act amending Section 9 of Chapter 411, Acts of the 61st Legislature, Regular Session, 1969 (Section 9, Article 4442d, Vernon's Texas Civil Statutes); relating to the licensing of nursing home administrators; and declaring an emergency.

Referred to Committee on Mental Health and Mental Retardation.

By Slack:

HB 1627, A bill to be entitled An Act relating to incorporated cities with a population of not less than 7,800, and not more than 8,000, according to the last preceding federal census, validating certain unenforceable tax levies; providing for valid annual levies hereafter; providing for cases of tax levies made but not properly recorded and to declare that assessment and collection of taxes for any year constitute notice of a tax levy made, these provisions to be cumulative of existing rights and remedies now available; defining terms; specifying inapplicability of this Act; to provide for severability; and declaring an emergency.

Referred to Committee on Counties.

By Wieting:

HB 1628, A bill to be entitled An Act relating to making the provisions of the Uniform Wildlife Regulatory Act applicable to all wildlife resources in Live Oak County, amending Subdivision (7.), Subsection c, Section 3, Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Wieting:

HB 1629, A bill to be entitled An Act relating to the interest rate on bonds of the San Patricio Municipal Water District; amending Subsection (b) of Section 7 and Section 9a, Chapter 373, Acts of the 52nd Legislature, 1951, as amended (Article 8280-145, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

#### ADJOURNMENT

In accordance with a previous motion, the House, at 3:23 p.m., adjourned until 10:00 a.m. tomorrow.

#### APPENDIX

##### STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Engrossed and Enrolled Bills: Correctly engrossed—HB 384, HCR 98. Correctly enrolled—HB 235, HB 453.

Higher Education: HB 124, SB 319.

House Administration: SCR 63.

Rules: HSR 89.

State Affairs: HB 322, HB 556.

Urban Affairs: HB 368, HB 408, HB 553.

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#### FORTY-SIXTH DAY—TUESDAY, MARCH 30, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present: